

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

IN RE:

**EX PARTE APPLICATION PURSUANT
TO 28 U.S.C. § 1782 FOR AN ORDER TO
TAKE DISCOVERY OF TANYA CHUCK
HABIB FOR USE IN A FOREIGN
PROCEEDING.**

Case No. 21-MC-522 (KMK)

Filed *Ex Parte*

**[PROPOSED] ORDER TO TAKE DISCOVERY
OF TANYA CHUCK HABIB FOR USE IN A FOREIGN PROCEEDING**

Upon review and consideration of: the Law Office of Shaikh Fahim Al Qasimi's ("Applicant" or "QLP") Ex Parte Application Pursuant to 28 U.S.C. § 1782 for an Order to Take Discovery of Tanya Chuck Habib ("Respondent") for Use in a Foreign Proceeding, the draft subpoenas attached thereto as Exhibits A and B, the accompanying Memorandum of Law in Support, and Declaration of Shaikh Fahim Al Qasimi (collectively, the "Application"), seeking an order authorizing the issuance of subpoenas requiring Respondent to provide documents and testimony for use in a proceeding pending in the Execution Court (United Arab Emirates) against John Habib, captioned *The Law Offices of Sheikh Fahim Al Qasimi & Partners v. Habib, et al.*, 3662/2018, and in connection with an anticipated proceeding in the United Arab Emirate Courts against those who aided and abetted John Habib, the Court, being fully advised, having considered the Application, and finding good cause exists to exercise its discretion to do so, hereby GRANTS the Application.

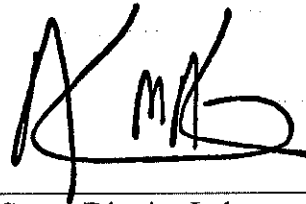
It is hereby ORDERED that the Applicant is granted leave to issue the subpoena *duces tecum* attached to the Application as Exhibit A to Respondent (the "Document Subpoena") pursuant to the Federal Rules of Civil Procedure, and pursuant thereto to require her to produce

documents, within 14 days of receipt of same (or on another mutually-agreeable date selected by the Applicant and Respondent) to James R. Lynch, Lynch Daskal Emery LLP, 137 West 25th Street, Floor 5, New York, New York 10001, or to any other location mutually agreeable to the Applicant and Respondent.

It is FURTHER ORDERED that Applicants, by and through their counsel, are granted leave to issue the subpoena attached to the Application as Exhibit B to Respondent (the “Deposition Subpoena”), pursuant to the Federal Rules of Civil Procedure, and pursuant thereto to require them to appear for a remote deposition via video-conferencing technology, to be arranged by Applicants, and which will be recorded by video and stenographically by a company engaged in such services to be designated by Applicants (the “Deposition Subpoena”), within 14 days of Respondents’ compliance with the Document Subpoenas (or on another mutually agreeable date selected by the Applicants and Respondents).

IT IS SO ORDERED.

Date: **July 26, 2021**
White Plains, New York



United States District Judge
Southern District of New York